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9 *Attorneys for Mark D. Waldron, in his capacity*  
10 *as the duly-appointed Chapter 11 Trustee herein*

11 **UNITED STATES BANKRUPTCY COURT**  
12 **EASTERN DISTRICT OF WASHINGTON**

13 In re:

Case No. 18-03197

14 GIGA WATT, Inc., a Washington  
15 corporation,

The Honorable Frederick P. Corbit

Chapter 11

Debtor.

**DECLARATION OF PAMELA M.  
EGAN IN SUPPORT OF CHAPTER  
11 TRUSTEE'S (I) JOINDER IN  
UNITED STATES TRUSTEE'S  
OBJECTION TO FEE  
APPLICATION AND (II)  
OBJECTION TO APPLICATION  
FOR AWARD OF COMPENSATION**

16  
17 I, Pamela M. Egan, hereby declare as follows:

18 1. I am a partner in the law firm of CKR Law LLP, which serves as  
19 general bankruptcy counsel to Mark Waldron, in his capacity as the duly-

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21  
22 <sup>1</sup> Ms. Egan was recently admitted to the Washington State Bar. She will shortly  
23 apply for admission to the U.S. District Court for the E.D. Washington. She is  
admitted in this case *pro hac vice*.

1 appointed Chapter 11 trustee (the “**Chapter 11 Trustee**”) in the above-captioned  
2 bankruptcy case.

3 2. I submit this Declaration in support of the Chapter 11 Trustee’s (i)  
4 Joinder in United States Trustee’s Objection to Fee Application and (ii) Objection  
5 to Application for Award of Compensation (the “**Chapter 11 Trustee**  
6 **Objection**”), filed herewith. Unless otherwise defined herein, capitalized terms  
7 used in this Declaration have the meanings ascribed to them in the Chapter 11  
8 Trustee Objection.

9 3. I base this Declaration on facts personally known to me.

10 4. Post-petition, an estimated \$200,000, perhaps more, in post-petition  
11 revenues remains unaccounted for. Kuzenny has refused to provide an accounting  
12 regarding the missing post-petition revenues or any revenues of the Debtor. He  
13 has also excluded the Chapter 11 Trustee from access to the Debtor’s  
14 computerized financial records.

15 5. The Meeting of Creditors was held over three sessions. Kuzenny did  
16 not appear at the first Meeting of Creditors. At the continued Meeting of  
17 Creditors, Kuzenny testified that the Debtor’s accountant, Heather Mulhall, had  
18 financial information regarding the Debtor’s revenues. However, the accountant  
19 testified that she did not have such information and had never had access to  
20 information regarding the Debtor’s revenues. Nonetheless, Kuzenny has continued  
21 to misrepresent to me, though his counsel, that the Debtor’s accountant, Heather  
22 Mulhall, possesses relevant information regarding the Debtor’s revenues and, in  
23 the alternative, that he has provided full information to the Chapter 11 Trustee.

24 Declaration of Pamela M. Egan in Support  
25 of Chapter 11 Trustee’s (i) Joinder, etc. - Page 2

1 Kuzenny failed to appear at the second continued Meeting of Creditors and the  
2 Meeting of Creditors was closed.<sup>2</sup>

3 6. When the Chapter 11 Trustee demanded Kuzenny's cooperation, he  
4 claimed that an additional approximate \$57,000 was missing. He added falsely  
5 that he had provided the Chapter 11 Trustee with full access to the Debtor's  
6 computerized financial records and that, therefore, the Chapter 11 Trustee either  
7 took the approximate \$57,000 money or is responsible for its loss. After  
8 presenting these false allegations, Kuzenny's counsel warned, "govern yourself  
9 accordingly."

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed this 4<sup>th</sup> day of March 2019 in Seattle, Washington.

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13 *Pamela M. Egan*

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Pamela M. Egan

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23 <sup>2</sup> Mr. Kuzenny also failed to appear at the first Meeting of Creditors.